

EXHIBIT “A”

SABATINI LAW FIRM, LLC

CARLO SABATINI*
KRISTIN SABATINI
BRETT FREEMAN
LEONARD GRYSKEWICZ, JR. ^

216 N. Blakely St.
Dunmore, PA 18512
Phone: (570) 341-9000
Fax: (570) 504-2769

Satellite Office: Wilkes-Barre 823-9000

January 8, 2016

Allied Interstate, LLC
12755 State Highway 55, Suite 300
Plymouth, MN 55441

Via Certified Mail Return Receipt Requested

RE: Taren Atkinson v Allied Interstate, LLC
Luzerne County Court of Common Pleas
Docket No. 2015-cv-13445

Dear Sir or Madam:

Enclosed please find the complaint in the above-referenced matter. Thank you for your anticipated cooperation.

Sincerely yours,



Brett Freeman

BF/smd
Enclosure

* Board Certified - Consumer Bankruptcy Law - American Board of Certification
^ Also admitted in New Jersey

Taren Atkinson
c/o Sabatini Law Firm, LLC
216 N. Blakely St.
Dunmore, PA 18512

Plaintiff

v.

Allied Interstate, LLC
335 Madison Avenue, 27th Floor
New York, NY 10017,

Defendant

IN THE LUZERNE COUNTY
COURT OF COMMON PLEAS

Civil Action

No.

Jury Trial Demanded

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claim set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED RATE OR NO FEE.

AVISO

A USTED SE LE HA DEMANDADO EN LA CORTE. Si usted quiere defenderse contra la demanda expuesta en las siguientes páginas, tiene que tomar acción en un plazo de veinte (20) días después que reciba esta demanda y aviso, por presentar una notificación de comparecencia escrita personalmente o por un abogado y radicar por escrito en la Corte sus defensas u objeciones a las demandas presentadas en su contra. Se le advierte que si falla en hacerlo, el caso podría seguir adelante sin usted y un fallo podría ser dictado en su contra por la Corte sin previo aviso por cualquier dinero reclamado en la demanda o por cualquier otro reclamo o desagravio pedido por el/la demandante. Puede que usted pierda dinero o propiedad u otros derechos importantes para usted. USTED DEBE LLEVAR ESTE DOCUMENTO A SU

**ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO, DIRÍJASE O LLAME POR
TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ABAJO. ESTA
OFICINA PUEDE PROVEERLE CON INFORMACIÓN SOBRE COMO CONTRATAR UN
ABOGADO.**

**SI NO TIENE LOS FONDOS SUFICIENTES PARA CONTRATAR UN ABOGADO, ESTA
OFICINA PODRÍA PROPORCIONARLE INFORMACIÓN ACERCA DE AGENCIAS QUE
PUEDAN OFRECERLES SERVICIOS LEGALES A PERSONAS QUE REÚNAN LOS
REQUISITOS A UN HONORARIO REDUCIDO O GRATIS.**

**North Penn Legal Services, Inc.
33 N. Main Street,
Suite 200
Pittston, PA 18640
(570) 299-4100
(877) 953-4250 Toll free
(570) 824-0001 Fax**

**Servicios Legales de North Penn, Inc.
33 la Calle Main del Norte, Oficina 200
Pittston, PA 18640
(570) 299-4100
(877) 953-4250 Llamada gratuita
(570) 824-0001 Fax**

Taren Atkinson,
Plaintiff

v.

Allied Interstate, LLC,
Defendant

IN THE LUZERNE COUNTY
COURT OF COMMON PLEAS

Civil Action

No.

Jury Trial Demanded

COMPLAINT

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 (hereinafter "the Act"). Defendant made multiple calls to Plaintiff on a number assigned to a cellular telephone service using equipment regulated by the Act.

II. JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 47 U.S.C. § 227(b)(3), which permits an action for a violation of the Act to be brought in an appropriate state court.

3. Venue in this Court is proper in that Plaintiff resides here, the conduct complained of occurred here, and Defendant transacts business here.

III. PARTIES

4. Plaintiff is a natural person who received telephone calls from Defendant while in this county.

5. Defendant, Allied Interstate, LLC, is a corporation with a place of business located at 335 Madison Avenue, 27th Floor, New York, NY 10017. At all relevant times, Defendant placed calls to individuals in this state.

IV. STATEMENT OF CLAIM

6. Plaintiff is, and at all relevant times was, a "person" as defined by 47 U.S.C. § 153(39).

7. Defendant is, and at all relevant times was, a "person" as defined by 47 U.S.C. § 153(39).

8. Plaintiff has a cellular telephone number that she has had at all relevant times. Plaintiff has only used this number as a cellular telephone number, and does not believe that it was ever ported from a wireline service.

9. At all relevant times this phone number has been assigned to a cellular telephone service.

Count I- Violation of the Act

10. The foregoing paragraphs are incorporated herein by reference.

11. Defendant caused to be made an unknown number of calls to Plaintiff's cell phone number.

12. The calls made to Plaintiff's cell phone were made using either an automatic telephone dialing system, as that term is defined in 47 U.S.C. § 227(a)(1), or an artificial or prerecorded voice. *See Morse v. Allied Interstate, LLC*, 65 F. Supp. 3d 407 (M.D. Pa. 2014).

13. These telephone calls were not made for "emergency purposes", as defined in 47 C.F.R. § 64.1200C

14. These telephone calls were not made with the Plaintiff's prior express consent.

15. These telephone calls were placed while Plaintiff was in the United States.

16. Pursuant to 47 U.S.C. § 227(b)(3), Plaintiff is entitled to an award of \$500.00 in statutory damages for each and every call Defendant caused to be made to Plaintiff's cellular telephone number.

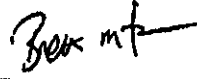
17. Plaintiff is also entitled to increased damages, as these calls were made willfully and/or knowingly. The factual allegations in this paragraph are likely to have evidentiary support after a reasonable opportunity for further investigation and discovery.

18. For each violation that was made willfully and/or knowingly, the Court may, in its discretion, increase the amount of the award to an amount equal to, but not more than, \$1,500.00 per call.

WHEREFORE, Plaintiff demands judgment against Defendant for statutory damages between \$500.00 and \$1,500.00 per call, costs, equitable relief, and such other and further relief as the Court deems just and proper.

V. DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury as to all issues so triable.



Brett Freeman
Bar Number: PA 308834
Sabatini Law Firm, LLC
216 N. Blakely St.
Dunmore, PA 18512
Attorney for Plaintiff
Phone (570) 341-9000

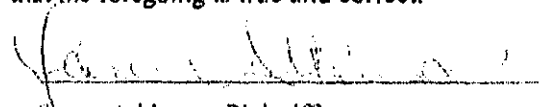
**Verification of Complaint and Certification
by Plaintiff Taren Atkinson**

Plaintiff, Taren Atkinson, being duly sworn according to law, deposes as follows:

1. I am the plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass the Defendant, cause unnecessary delay to the Defendant, or create a needless increase in the cost of litigation to the Defendant, named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 4, 2015.


Taren Atkinson, Plaintiff

ini Law Firm, LLC
Blakely Street
ore, PA 18512



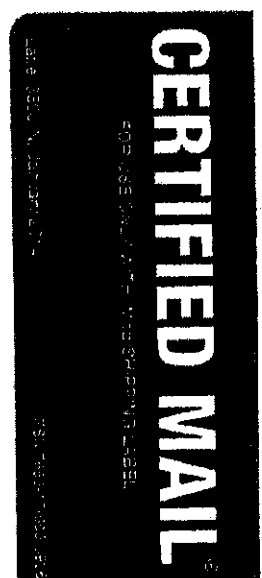
7009 0820 0000 4032 7781

1000



55441

AMOUNT
\$7.45
R2306K142195-10



Allied Interstate, LLC
12755 State Highway 55, Suite 300
Plymouth, MN 55441

EXHIBIT “B”

STRADLEY RONON STEVENS & YOUNG, LLP
Christine M. Debevec, Esquire (PA ID. No. 88107)
A Pennsylvania Limited Liability Company
2600 One Commerce Square
Philadelphia, PA 19103-7098
(215) 564-8000

*Counsel for Defendant,
Allied Interstate, LLC*

TAREN ATKINSON,

Plaintiff

vs.

ALLIED INTERSTATE LLC

Defendant(s),


: IN THE COURT OF COMMON PLEAS
: OF LUZERNE COUNTY
: CIVIL DIVISION

: No.: 2015-CV-13445

NOTICE OF FILING OF NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1446(d), Defendant Allied Interstate LLC ("Allied"), by and through its undersigned counsel, hereby gives notice that it has filed in the United States District Court for the Middle District of Pennsylvania the attached Notice of Removal (without exhibits) of the above-captioned action.

Pursuant to 28 U.S.C. § 1446, the filing of this Notice effects the removal of this action to the federal court, and this Court is directed to "proceed no further unless and until the case is remanded." 28 U.S.C. § 1446(d).


Christine M. Debevec, Esquire (PA ID No. 88107)
STRADLEY RONON STEVENS & YOUNG, LLP
2600 One Commerce Square
Philadelphia, PA 19103-7098
(215) 564-8000


*Attorneys for Defendant
Allied Interstate LLC*

Dated: January __, 2016

CERTIFICATE OF SERVICE

I, Christine M. Debevec, hereby certify that on January 28, 2016, I caused the foregoing Notice of Removal, and accompanying exhibits, to be electronically filed via the Court's ECF system, where they are available for viewing and downloading. I also caused the foregoing Notice of Removal and accompanying exhibits to be served via U.S. Mail, postage prepaid, upon counsel for Plaintiff:

Brett Freeman, Esquire
Sabatini Law Firm, LLC
216 N. Blakely Street
Dunmore, Pennsylvania 18512
Attorney for Plaintiff

A handwritten signature in black ink, appearing to read 'Christine M. Debevec', written over a horizontal line.

Christine M. Debevec

Dated: January 28, 2016